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9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 KEVIN DERRICK,
12 Plaintiff,
13 vs.
14 STATE FARM MUTUAL AUTOMOBILE
15 INSURANCE COMPANY, DOES
16 INDIVIDUALS I-X; and ROE
17 CORPORATIONS I-X, inclusive,
18 Defendants.

CASE NO. 2:18-CV-00512-RFB-CWH

STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES
(FIRST REQUEST)

SUBMITTED IN COMPLIANCE WITH LR
26-1(e)

18 Defendant, STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY
19 (“State Farm”), and Plaintiff, KEVIN DERRICK (“Plaintiff”), by and through their respective
20 counsel, and pursuant to Local Rule 26-4, stipulate to modify their discovery plan as
21 follows:

22 1. Plaintiff filed his Complaint in the Eighth Judicial District Court for Clark
23 County, Nevada on February 12, 2018. State Farm removed said case to the U.S.
24 District Court for the District of Nevada on March 20, 2018 (ECF No. 1).

25 2. The parties held their F.R.C.P. 26 conference on April 18, 2018, and in
26 compliance with F.R.C.P. 26(f) and LR 26-1(e) filed their initial Stipulated Discovery Plan
27 and Scheduling Order on April 23, 2018 (ECF No. 12).

28 3. On April 24, 2018, the Magistrate established the following discovery plan

1 (ECF No. 12):

2	Last day to amend/add:	June 19, 2018
3	Initial expert disclosure:	July 19, 2018
4	Rebuttal expert disclosure:	August 17, 2018
5	Last day of discovery:	September 17, 2018
6	Dispositive motions filed:	October 17, 2018
7	Joint pre-trial order:	November 16, 2018

8 4. In compliance with Local Rule 26-4, the parties provide the following
9 information regarding the discovery status:

10 a. Discovery Completed: The parties have exchanged initial disclosures
11 of witnesses and documents. State Farm has served written discovery and is in the
12 process of scheduling Plaintiff's deposition. State Farm is awaiting receipt of signed
13 medical authorizations to begin the process of independently obtaining Plaintiff's medical
14 records arising out of the subject accident.

15 b. Discovery that remains to be completed: Additional time is needed for State
16 Farm to obtain all of Plaintiff's relevant pre and post accident medical records. Additional
17 time is also needed for State Farm to retain an expert and to coordinate scheduling
18 Plaintiff's Rule 35 Examination. The depositions of the parties' retained experts will also
19 be necessary.

20 c. Reasons why discovery was not completed: The parties' current Discovery
21 Plan and Scheduling Order (ECF No. 12) does not provide sufficient time to allow State
22 Farm to obtain all of Plaintiff's medical records. With the exception of Plaintiff's
23 emergency medical care, the majority of Plaintiff's medical treatment occurred in
24 Wisconsin. Thus, State Farm will need to allow Plaintiff's medical providers sufficient
25 time to comply with State Farm's subpoenas given that they are all located out-of-state.
26 Additional time is also needed to allow State Farm to coordinate scheduling Plaintiff's
27 Rule 35 Examination. Because Plaintiff resides in Wisconsin, State Farm will similarly
28 need to provide Plaintiff with sufficient time to make travel arrangements in order to
appear for his Rule 35 Examination. The parties will also need time to complete the
depositions of the parties' retained experts. Additional time for discovery is necessary to

- 1 avoid prejudice and to facilitate a fair and just investigation of Plaintiff's alleged injuries
- 2 and with respect to Plaintiff's claims against State Farm.

3 d. Proposed schedule for completion of remaining discovery (extension of
4 remaining deadlines by approximately 60 days):

5	Last day to amend/add:	August 17, 2018
6	Initial expert disclosure:	September 17, 2018
7	Rebuttal expert disclosure:	October 16, 2018
8	Last day of discovery:	November 16, 2018
9	Dispositive motions filed:	December 14, 2018
10	Joint pre-trial order:	January 15, 2019

11 | SUBMITTED BY THE FOLLOWING COUNSEL OF RECORD:

12 DATED this 20th day of June, 2018. DATED this 20th day of June, 2018.

13 | RICHARD HARRIS LAW FIRM

LEWIS BRISBOIS BISGAARD & SMITH LLP

14 || */s/ Johnathan M. Leavitt*

/s/ *Danielle C. Miller*

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21 IT IS SO OBDEBED

UNITED STATES MAGISTRATE JUDGE

DATED: June 21, 2018